



**Grace E. Koh**

Policy Counsel  
Public Policy Office

October 2, 2012

**VIA ECFS**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

**Re: Special Access for Price Cap Local Exchange Carriers, WC Docket No. 05-25**

Dear Ms. Dortch:

On September 28, Barry Ohlson and the undersigned, on behalf of Cox Communications, Inc. ("Cox"), met with William Layton, Eric Ralph, Jamie Susskind, Ken Lynch, Steven Rosenberg, Nicholas Alexander, and Elizabeth McIntyre (by phone) of the Wireline Competition Bureau. Our meeting centered on the Commission's pending data collection request on special access availability.

Cox provides backhaul and other non-switched services on a wholesale and retail basis to numerous customers through Cox Business, the arm of the company dedicated to business-to-business offerings. Retail customers include small-to-medium-sized businesses, educational institutions, local governments, and healthcare providers. Wholesale customers include wireless service providers, interexchange carriers, and local exchange carriers.

We noted that Cox fully intends to participate in the Commission's data collection as comprehensively as possible. However, Cox's efforts to respond to earlier data requests had revealed that much of the requested data required significant manual effort to obtain, verify, and collate. Cox does not maintain a single centralized source for the information requested, nor does it maintain the information in the same format as incumbent local exchange carriers. We discussed how flexibility and ongoing communication with the Bureau over the particulars of the data request would assist in ensuring a useful and productive response from Cox and other cable operators.

More specifically, we discussed how reporting the distinction between circuits obtained through indefeasible rights of use ("IRUs") and wholly-owned circuits will be a highly manual, labor-intensive process, involving review of several iterations of master agreements. Yet, IRU circuits, which are procured for long contract terms, are substantially similar to fully owned circuits for competitive analyses because such IRU facilities are controlled for long periods and not subject to short-term changes in pricing and other conditions. Cox encourages the Commission to avoid asking Cox

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and other respondents to attempt time-consuming reporting such as this unless it substantially contributes to the Commission's analysis of the competitive environment.

We also discussed the need to protect this competitively sensitive information and the measures that the Commission might take to ensure against disclosure.

Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being filed with your office via ECFS. Courtesy copies also are being distributed to the meeting attendees via email.

Respectfully submitted,

\_\_\_\_\_/s/\_\_\_\_\_  
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Grace Koh  
Policy Counsel  
Cox Enterprises, Inc.

cc: William Layton  
Eric Ralph  
Jamie Susskind  
Ken Lynch  
Steven Rosenberg  
Nicholas Alexander  
Elizabeth McIntyre